

VI. REMARKS

The Examiner has objected to the drawings for failing to show features recited in Claims 7 and 12. Appended hereto are new amended drawings, amended as indicated above for the examiner's approval. The drawings do not introduce new matter.

It is noted, that no amendments were necessary to show the feature recited in Claim 7 (i.e. the "S" shaped cutout) because Figs. 2 and 3 currently show this feature. This has been highlighted on annotated sheets of the drawings appended hereto.

The drawings have been amended to add the "lip" recited in Claim 12 as noted before. The amendment to the drawings do not add new matter. It is noted, that the Examiner's refusal to enter the earlier presented amended drawings because the square elements with the numeral 38L was inappropriate. In the present amendment, as in the last amendment, rectangular elements identified by the numeral 38L have been added to Fig. 1. These elements 38L are the "lip(s)" into which the retention springs mate as recited in Claim 12. This is not new matter, because of the following. (The Specification, on page 3, lines 24-25, states that "[t]he back two retention springs 38' lock into a depression(lip) in the FOUP".) The above noted section in the Specification provides the following information: that depressions(lips) exist for the back two retention springs, that the depressions(lips) are in the FOUP. From this information, one skilled in the art would immediately understand that the depressions in the FOUP are depressions that enter into the interior wall face of the FOUP. This leaves an opening with borders or a lip in the face, schematically identified by elements 38L added to Fig. 1. Further, the Specification

states that the retention springs 38' lock into the depression(lip) which would be immediately understood by one skilled in the art to mean that the lips of the depression are oriented to allow the retention springs 38' to lock into the depression. Further, Figs. 2 and 3 show that the retention springs 38' have flat upper and lower edges, and that the portion of the springs 38' which would make contact with the inner face of the FOUP walls and which would lock into the depression has a generally rectangular profile. Accordingly, the shape of the lip for the depression, which is what is shown schematically by element 38L has a generally rectangular profile generally conformal to the shape of the spring 38'. All of the above information to establish the shape of the depression 38L is described or shown in the Specification and drawings or is known by one skilled in the art. Accordingly, it is respectfully submitted, that the addition of rectangular elements 38L representing the depression(lip) in the FOUP into which the retention elements 38' lock is not new matter.

The Examiner has further indicated that the addition of the reference numeral 38L to the Specification is considered to be new matter. The Examiner is incorrect. Addition of a reference numeral that has been added to the drawings to identify a feature also added to the drawings, but which is described in the specification is not new matter within the meaning of 35 U.S.C. 132. (see In re Benno, 226 USPQ 683,687 (Fed. Cir. 1985) in which the court held that "all amendments to the specification, including the claims, and the drawings filed after the filing date of the application must conform to at least one of them as it was at the time of filing.") The addition of a mere reference numeral in the Specification for a feature described in the Specification at the time of filing does not

alter the substantive disclosure of Specification so that it no longer conforms to its original disclosure. The addition of numeral 38L to the Specification for the depression(lip) is not new matter.

The Examiner has objected to Claim 7. Claim 7 has been amended to overcome the objection.

Claims 10, 13-14 and 17 have been rejected under 35 U.S.C. 103 as being unpatentable over Nyseth in view of Fosnight et al. (hereinafter Fosnight). The Applicant respectfully disagrees.

Claims 10 and 14 are similar in that both call for a semiconductor cassette reducer. The Examiner appears to be ignoring this language as neither Nyseth nor Fosnight disclose or suggest a semiconductor cassette reducer. Ignoring the above noted language in claims 10 and 14 is improper as noted in the Applicants' previously filed response the arguments of which are incorporated by reference herein. As noted before, the "semiconductor cassette reducer" language in claims 10 and 14 further defines the structure of the claimed article and hence must be given weight (MPEP 2111.02). Clearly a cassette reducer is not the same as the cassette. Both Nyseth and Fosnight merely disclose the cassette and only the cassette. Molded case 50 in Nyseth is part of the cassette itself (it is an integral part of the housing) and thus cannot be a cassette reducer. A one piece molding such as molding 50 cannot be both cassette and cassette reducer. Fosnight, discloses cassette 20, but nowhere does it make any mention of a cassette reducer as called for in claims 10 and 14.

Claim 10 further calls for at least one resiliently flexible retention member mounted on at least one of the first

substantially U-shaped plate or the second substantially U-shaped plate. These features are not disclosed or suggested in either Nyseth or Fosnight. As seen in Figs. 7-9, neither plates 74, 76, nor any other U-shaped plates (e.g. plate 152) in Nyseth have any resiliently flexible retention members mounted thereon. Fosnight, also fails to disclose or suggest a U-shaped plate having at least one resiliently flexible retention member mounted thereon as called for in claim 10. As neither Nyseth nor Fosnight disclose the features in claim 10, the combination of these references cannot provide features that are not disclosed or suggested in either reference. Claims 10 and 13 are patentable over the cited prior art and should be allowed.

Claim 14 calls for the first substantially U-shaped plate having a spring loaded retention member. As noted above with reference to claim 10, neither Nyseth nor Fosnight disclose or suggest, alone or in combination, a U-shape plate having a spring loaded retention member. Hence, claims 14-15 and 17-18 are patentable over the cited prior art and should be allowed.

Claims 11 and 16 have been rewritten in independent form incorporating the features of the base claims, which puts Claims 11 and 16 into condition for allowance as indicated by the Examiner. The amendment to Claims 11 and 16 to incorporate the features of the base claims is by definition not a narrowing amendment made for patentability reasons.

The Examiner has indicated that Claim 4 is rejected under 35 U.S.C. 112, first paragraph but has failed to specify the reasons forming the basis for the rejection. It is noted, that all the features recited in Claim 4 are described in the Specification, and Claim 4 meets the description and enablement requirements of 35 U.S.C. 112, First paragraph. Claim 4 recites

that "a base to tip distance of the first substantially U-shaped plate is less than an interior depth of a front opening unified pod". This is described on page 4, lines 8-10 of the Specification, which states that "a base 46 to tip 48 distance is less than an interior depth 52 (see Fig. 1) of a front opening unified pod." Claim 4 meets the requirements of 35 U.S.C. 112, First paragraph and should be allowed.

Claims 1-3, and 5-9 have been allowed.


For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Enclosed is a check in the amount of \$172.00 for the addition of two independent claims. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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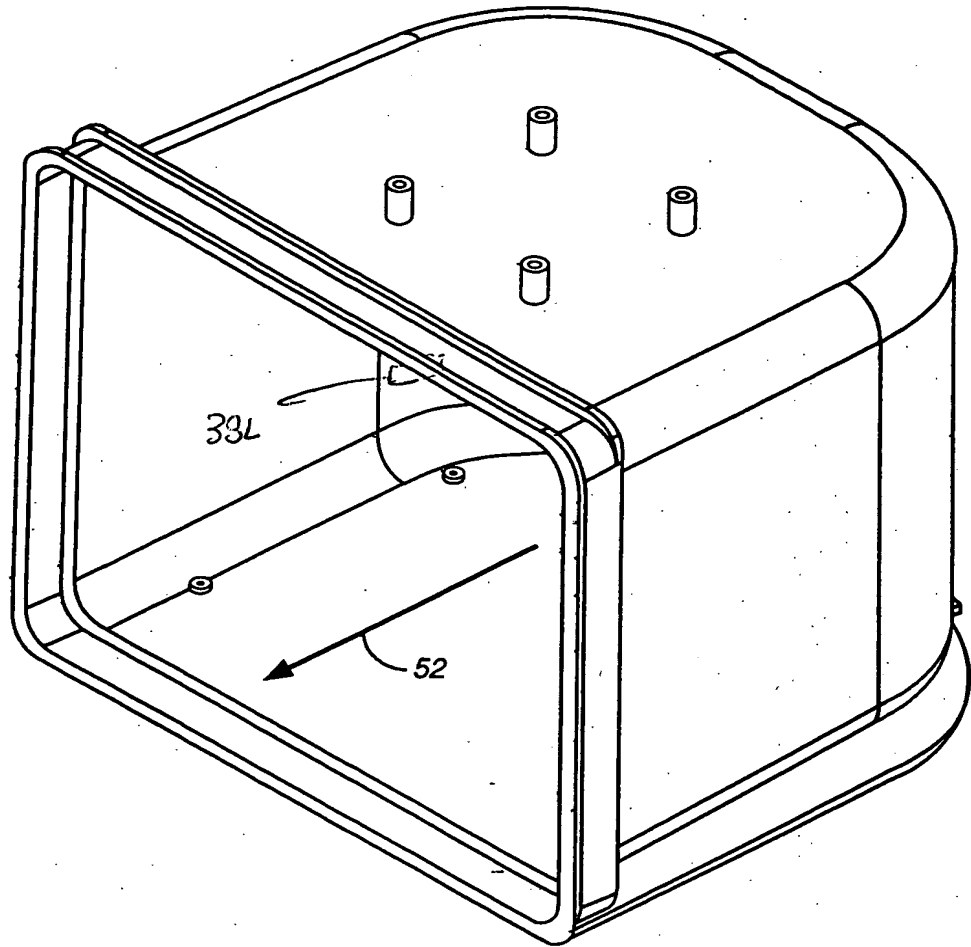
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FIG. 1

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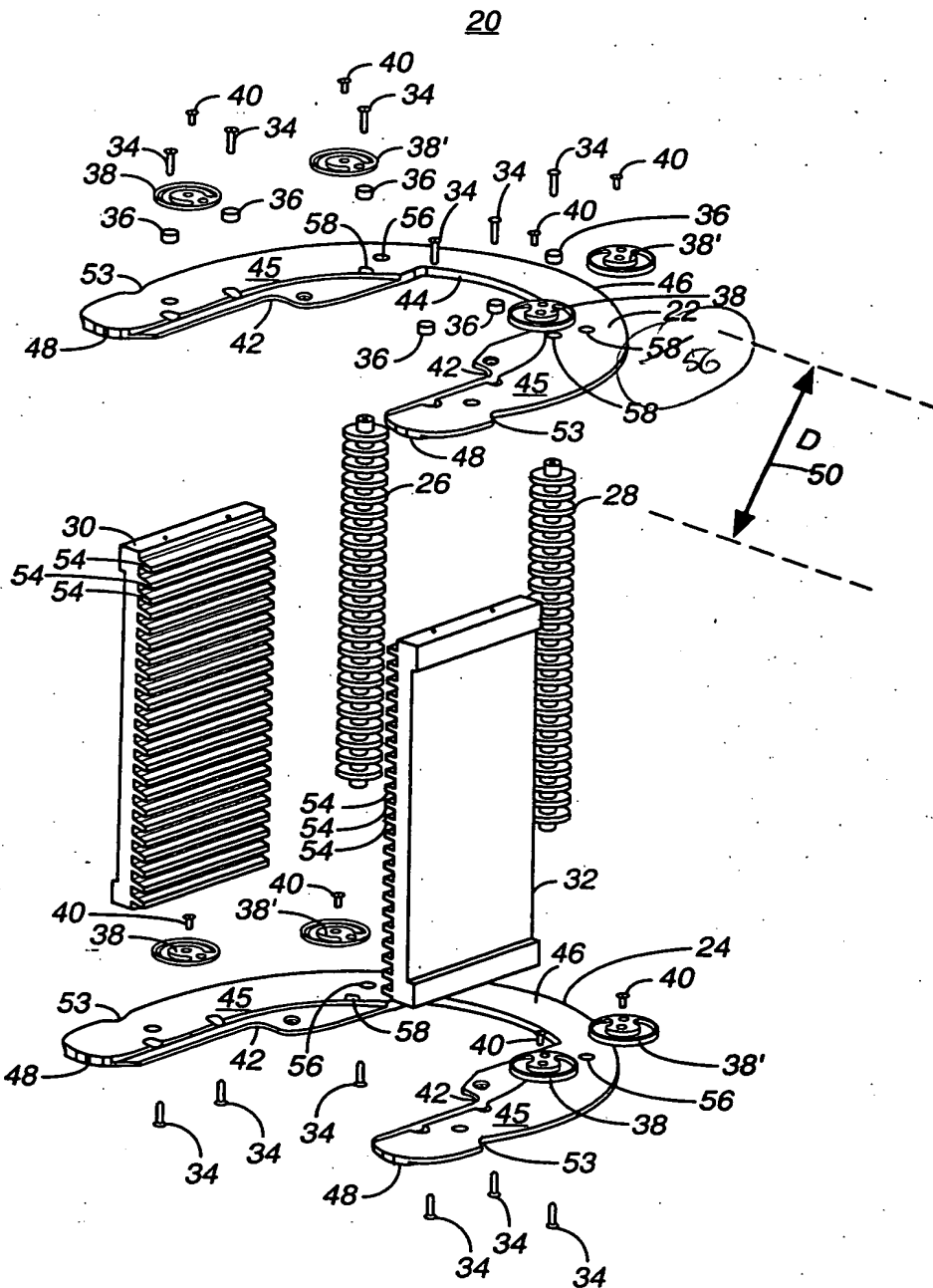


FIG. 2

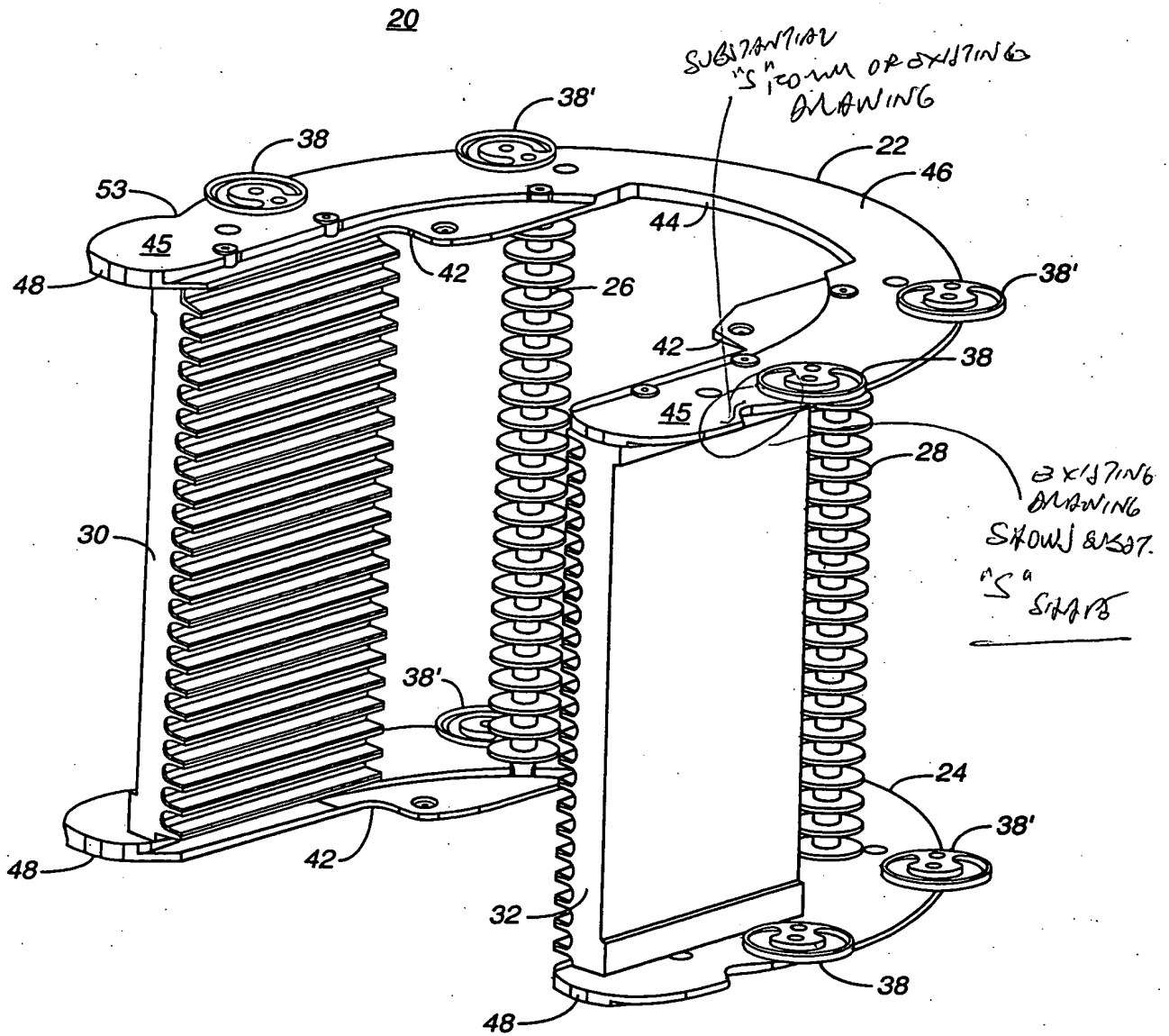


FIG. 3